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Application No.: 10/735,030 Attorney Docket No.: USGINZ02513
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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application. Where claims have been amended, deletions are indicated by ~~strikethrough~~, and additions are indicated by underlining.

In the claims:

1. – 25. (Cancelled)

26. (Currently Amended): Apparatus for performing a medical procedure within a hollow body organ of tortuous or unpredictably supported anatomy, the apparatus comprising:

an overtube having a flexible state that facilitates insertion of the overtube into the hollow body organ, and a rigid state wherein the overtube resists bending forces exerted on the overtube;

a mechanism selectively operable to reversibly transition the overtube between the flexible and rigid states, wherein at least a portion of the overtube is configured to be manipulated from outside the hollow body organ;

a first catheter having a flexible tube with a distal region configured for insertion through the overtube and into the hollow body organ;

a tissue engaging assembly disposed on the distal region of the first catheter, the tissue engaging assembly defining a first tissue contact point; and

an anchor delivery system adapted to deliver an anchor assembly and secure a tissue fold, the anchor delivery system comprising a flexible delivery catheter having an internal lumen and being adapted for insertion into the hollow body organ, the flexible delivery catheter having a bending section adapted to transition from a first position in which the bending section is generally aligned with a longitudinal axis of a proximal portion of the flexible delivery catheter, to a second position in which the bending section is generally transverse to the longitudinal axis of the proximal portion of the flexible catheter, and the flexible delivery catheter having a needle adapted to transition from a first position in which the needle is substantially completely retained within the bending

section, to a second position in which the needle extends from a distal end of the bending section for transverse passage through the tissue fold.

27. (Original): The apparatus of claim 26, wherein at least one section of the overtube is adapted to remain in the flexible state upon transition of the overtube to the rigid state.

28. (Original): The apparatus of claim 26, wherein at least one section of the overtube comprises varied rigidity relative to a different section of the overtube when the overtube is disposed in the rigid state.

29. (Original): The apparatus of claim 26, wherein at least one section of the overtube comprises varied flexibility relative to a different section of the overtube when the overtube is disposed in the flexible state.

30. (Currently Amended): The apparatus of claim 26, wherein at least one section of the overtube ~~comprises~~ is steerable.

31. (Cancelled)

32. (Previously presented): The apparatus of claim 26, further comprising:

a second tissue contact point disposed at a location initially proximal of, or in line with, the first tissue contact point.

33. (Previously presented): The apparatus of claim 26, further comprising:

a tissue approximation device for moving the first tissue contact point to a position proximal of the second tissue contact point to form a tissue fold.

34. (Previously presented): The apparatus of claim 33 further comprising a third tissue contact point disposed at a location initially proximal of, or in line with, the first tissue contact point, wherein the tissue approximation device for moving moves the

first tissue contact point to a position proximal of the third tissue contact point to form the tissue fold, so that the second and third tissue contact points are disposed on opposing sides of the tissue fold.

35. (Previously presented): The apparatus of claim 34, wherein the tissue approximation device for moving linearly displaces the first tissue contact point relative to the second and third tissue contact points.

36.—39. (Cancelled)

40. (Previously presented): The apparatus of claim 39, wherein the anchor assembly is configured for delivery through the needle.

41. (Previously presented): The apparatus of claim 26, wherein the tissue engaging assembly is configured to engage mucosa, thereby defining the first tissue contact point.

42. (Previously presented): The apparatus of claim 26, wherein the tissue engaging assembly is configured to engage muscularis, thereby defining the first tissue contact point.

43. (Previously presented): The apparatus of claim 26, wherein the tissue engaging assembly is configured to engage serosa, thereby defining the first tissue contact point.

44. (Previously presented): The apparatus of claim 26, wherein the tissue fold comprises serosa-to-serosa tissue contact and the anchor assembly is adapted to secure the serosa-to-serosa tissue contact.

45. (New): Apparatus for performing a medical procedure within a hollow body organ, the apparatus comprising:

an overtube having a steerable distal region;

a first catheter having a flexible tube with a distal region configured for insertion through the overtube and into the hollow body organ;

a tissue engaging assembly disposed on the distal region of the first catheter, the tissue engaging assembly defining a first tissue contact point; and

an anchor delivery system adapted to deliver an anchor assembly and secure a tissue fold, the anchor delivery system comprising a flexible delivery catheter having an internal lumen, the flexible delivery catheter having a bending section adapted to transition from a first position in which the bending section is generally aligned with a longitudinal axis of a proximal portion of the flexible delivery catheter, to a second position in which the bending section is generally transverse to the longitudinal axis of the proximal portion of the flexible catheter, and the flexible delivery catheter having a needle adapted to transition from a first position in which the needle is substantially completely retained within the bending section, to a second position in which the needle extends from a distal end of the bending section for transverse passage through the tissue fold.

46. (New): The apparatus of claim 45, wherein the anchor assembly is configured for delivery through the needle.

47. (New): The apparatus of claim 45, further comprising an endoscope movably disposed within a lumen of said overtube.

48. (New): Apparatus for performing a medical procedure within a hollow body organ, the apparatus comprising:

an overtube having a steerable distal region and an endoscope movably disposed within a lumen of said overtube;

a first catheter having a flexible tube with a distal region configured for insertion through the overtube and into the hollow body organ;

a tissue engaging assembly disposed on the distal region of the first catheter, the tissue engaging assembly defining a first tissue contact point; and

a flexible delivery catheter extending through said overtube and having an internal lumen, the flexible delivery catheter having a bending section adapted to transition from a first position in which the bending section is generally aligned with a longitudinal axis of a proximal portion of the flexible delivery catheter, to a second position in which the bending section is generally transverse to the longitudinal axis of the proximal portion of the flexible catheter, and the flexible delivery catheter having a needle adapted to transition from a first position in which the needle is substantially completely retained within the bending section, to a second position in which the needle extends from a distal end of the bending section for transverse passage through the tissue fold.

49. (New): The apparatus of claim 48, further comprising an anchor assembly configured for delivery through the needle.